

Application No.: 09/735,574

REMARKS/ARGUMENTS

As agreed with the Examiner, Claims 1, 14 and 27 are amended to more particularly point out the claimed invention. The claims are amended to recite "wherein the intensity values indicate nucleic acid hybridization". The support for this amendment can be found in, for example, pages 11, line 6 of the specification. The claims are also amended to recite "Using said normalization factor for gene expression analysis and outputting the result of said analysis." The support for this amendment can be found, for example, page 25 and Figures 4 and 5.

Attorney's Statement of the Substance of the Interview under 37 CFR §1.1333

Applicants' attorney thanks the Examiner for a *telephonic* interview on November 16, 2004. Applicants' attorney Wei Zhou and Examiner Ardin Marscheel participated in the interview.

Claims 1, 14 and 27 are rejected under 35 USC Section 101 (nonstatutory subject matter). Applicants' attorney and the Examiner then discussed possible amendments to clarify the term intensities and the specific applications and agree with an amendment to recite "wherein the intensity values indicate nucleic acid hybridization" and "Using said normalization factor for gene expression analysis and outputting the result of said analysis."

CONCLUSION

For these reasons, Applicants believe all pending claims are now in condition for allowance. If the Examiner has any questions pertaining to this application or feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5000.

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Wei Zhou

Reg. No. 44,419

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